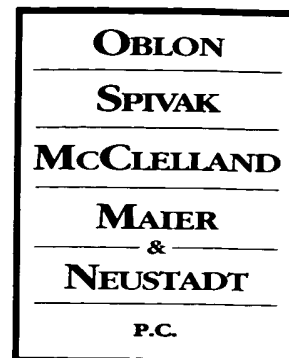


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Docket No.: 217567US-23DIV

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450



ATTORNEYS AT LAW
C. IRVIN McCLELLAND
(703) 413-3000
IMCCLELLAND@OBLON.COM

RE: Application Serial No.: 10/021,063
Applicants: Hugh J. ABERCROMBIE
Filing Date: December 19, 2001
For: RECOVERY OF NATURAL NANOCLUSTERS
AND THE NANOCLUSTER ISOLATED THEREBY
Group Art Unit: 1742
Examiner: G. Wyszomierski

SIR:

Attached hereto for filing are the following papers:
PETITION FOR ATTORNEY WITHDRAWAL UNDER 37 CFR 1.36
(in triplicate)

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

C. Irvin McClelland

C. Irvin McClelland
Attorney of Record

APPROVED

Registration No. 21,124



22850

(703)413-3000 (phone)
(703)413-2220 (fax)

Jacqueline M. Stone

JACQUELINE M. STONE
DIRECTOR

TECHNOLOGY CENTER 1700

JUN 11 2003

Docket No. 217567US-23DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: :
Hugh J. ABERCROMBIE : GROUP: 1742
SERIAL NUMBER: 10/021,063 : EXAMINER: G. Wyszomierski
FILED: December 19, 2001 :
FOR: RECOVERY OF NATURAL NANOCCLUSERS AND THE
NANOCCLUSERS ISOLATED THEREBY

PETITION FOR ATTORNEY WITHDRAWAL UNDER 37 CFR 1.36

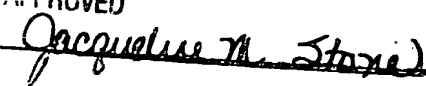
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Attorneys of Record in the present Application hereby respectfully petition to withdraw from any further representation of the Applicant of the subject application under the provisions of, and in compliance with the criteria set forth, in 37 CFR 10.40(c) (l) (vi). The applicant is being advised of this action concurrently herewith and provided with a copy of the petition.

It is requested that all further communications be forwarded to the Assignee at the following address:

Birch Mountain Resources, Ltd.
3100, 205 Fifth Avenue, S.W.
Calgary, Alberta, Canada T2P 2V7

APPROVED

JACQUELINE M. STONE
DIRECTOR
TECHNOLOGY CENTER 1700

The inventor(s) last known address is

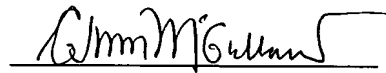
Hugh J. Abercrombie
4516 Vegas Road N.W.
Calgary, Alberta Canada T3A ON1

As the principal attorney for the above-identified application I, C. Irvin McClelland, have the authority to execute and have executed this petition on behalf of all of the attorneys of record, namely, Norman F. Oblon, Reg. No. 24,618; Marvin J. Spivak, Reg. No. 24,913; C. Irvin McClelland, Reg. No. 21,124; Gregory J. Maier, Reg. No. 25,599; Arthur I. Neustadt, Reg. No. 24,854; Richard D. Kelly, Reg. No. 27,757; James D. Hamilton, Reg. No. 28,421; Eckhard H. Kuesters, Reg. No. 28,870; Robert T. Pous, Reg. No. 29,099; Charles L. Gholz, Reg. No. 26,395; William E. Beaumont, Reg. No. 30,996; Jean-Paul Lavalleye, Reg. No. 31,451; Stephen G. Baxter, Reg. No. 32,884; Richard L. Treanor, Reg. No. 36,379; Steven P. Weihrouch, Reg. No. 32,829; John T. Goolkasian, Reg. No. 26,142; Richard L. Chinn, Reg. No. 34,305; Steven E. Lipman, Reg. No. 30,011; Carl E. Schlier, Reg. No. 34,426; James J. Kulbaski, Reg. No. 34,648; Richard A. Neifeld, Reg. No. 35,299; J. Derek Mason, Reg. No. 35,270; Surinder Sachar, Reg. No. 34,423; Jeffrey B. McIntyre, Reg. No. 36,867; William T. Enos, Reg. No. 33,128; Michael E. McCabe, Jr., Reg. No. 37,182; Bradley D. Lytle, Reg. No. 40,073; and Michael R. Casey, Reg. No. 40,294.

Granting of this petition is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in cursive script, appearing to read "C. Irvin McClelland", written over a horizontal line.

C. Irvin McClelland
Attorney of Record
Registration No. 21,124

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